REMARKS

This responds to the Office Action mailed on June 3, 2005, and the references cited therewith.

Claims 1 and 10 are amended, claim 8 is canceled without prejudice, and claims 27-37 are added; as a result, claims 1-7 and 9-37 are now pending in this application.

§102 Rejection of the Claims

Claims 1-2, 4-26 were rejected under 35 U.S.C. § 102(e) for anticipation by Gupta et al. (U.S.6,763,384). Applicant has amended claims 1 and 10, and respectfully traverses the rejection for the reasons that follow.

Gupta et al. disclose a networked computer system (Fig. 3), which includes application servers 20-24, a notification server 30, and clients 114-118. A client process may notify one or more of the application servers 20-24 of messages that an end user wishes to receive. (col. 5, lines 43-45). Each application server 20-24 maintains and updates a database of messages that need to be transmitted to end users, and a list of clients interested in the messages. (col. 5, lines 22-27). When a message occurs at an application server 20-24, a message monitor captures the message and sends it to the notification server 30. (col. 5, lines 31-34). The notification server 30 maintains and updates a databank of clients 110-118 (Fig. 1) that are on-line. On receiving a message from the message monitor, the notification server 30 determines the intended recipients of the message using the databank of messages that the clients with to receive. (col. 6, lines 11-15). The notification server 30 then sends the message to the intended recipients, which interpret and display the message to the end users. (col. 6, lines 57-61).

Applicant's claims 1-2 and 4-26 include at least the following distinguishing features:

Claims 1, 2, and 3-9: ". . . providing a communication server for one or more server-side applications . . . , wherein the communication server receives notification message data from one or more of the server-side applications, . . . and wherein the notification message data includes application message data with fetching instructions for application data produced by the one or more server-side applications . . ."

Claims 10-18: ". . . a first server in an application server to send a first message to a second server in the application server, and also to provide information to one or more clients using HTTP, wherein the first message includes fetching instructions for the information;

the second server in the application server, coupled to the first server, to receive the first message from the first server, to store the first message, and to send the first message to an application client at a later time in response to receiving an HTTP polling request from the application client and determining that the first message was previously stored . . ."

Claims 19-26: ". . . providing a first server to communicate with one or more clients;

providing a second server to receive a message from the first server and to store the message from the first server, wherein the message includes information intended to instruct a first client to fetch data from the first server;

providing a second client in a same application client as the first client, wherein the second client is automatically to send HTTP polling requests to the second server; and

upon receiving a polling request from the second client, the second server is to send the message from the second server to the second client . . ."

Gupta et al. do not disclose the features of Applicant's claims 1, 2, and 4-26. First, nowhere do Gupta et al. disclose a first server sending a message to a second server, where *the message includes information intended to instruct a first client to fetch data from the first server* (or "fetching instructions"). Instead, in the system of Gupta et al., a message monitor at an application server captures a message and sends it to the notification server 30. (col. 5, lines 31-34). The notification server 30 determines the intended recipients of the message and sends the message to the intended recipients, which interpret and display the message to the end users. (col. 6, lines 57-61). Gupta et al. do not disclose the concept of fetching instructions.

Second, nowhere do Gupta et al. disclose a second server receiving a first message from a first server, storing the first message, and sending the first message to an application client at a later time *in response to receiving an HTTP polling request from the application client*. Instead, in the system of Gupta et al., a notification server 30 automatically sends a message to an

intended recipient. (col. 6, lines 57-61). Gupta et al. do not disclose the concept of polling requests for messages from an application client.

Gupta et al. do not disclose the features of Applicant's claims 1, 2, and 4-26. Applicant believes that these claims are allowable over Gupta et al. Based on the amendments and the above remarks, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 1, 2, and 4-26 under 35 U.S.C. § 102(e), and allow these claims.

§*103 Rejection of the Claims*

Claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Gupta et al. as applied to claim 1 and further in view of Betros et al. (U.S. Patent Application Publication No. US2002/0099795 A1). Applicant respectfully traverses the rejection for the reasons that follow.

Claim 3 is dependent upon claim 1, which was rejected under 35 U.S.C. § 102(e) for anticipation by Gupta et al. Applicant has traversed the rejection of claim 1, above, and believes claim 1 to be allowable over Gupta et al.

Further, the combination of Gupta et al. and Betros et al. do not disclose the features of claim 3. More specifically, the combination of Gupta et al. and Betros et al. do not disclose at least the following features:

". . . providing a communication server for one or more server-side applications . . . , wherein the communication server receives notification message data from one or more of the server-side applications, . . . and wherein the notification message data includes application message data with fetching instructions for application data produced by the one or more server-side applications . . ."

Because the combination of Gupta et al. and Betros et al. do not disclose the features of claim 3, a *prima facie* case of obviousness has not been made. Accordingly, Applicant believes that claim 3 is allowable over Gupta et al. in view of Betros et al. Applicant respectfully requests that the Examiner reconsider the rejection, and allow claim 3.

Support for Amendments and New Claims

Support for amendments to claims 1 and 10 may be found in the originally filed application at page 9, lines 19-21. New claims 27-37 are supported in the originally filed application as indicated in the list below. No new matter is introduced as a result of the amendments or the addition of the new claims.

Claim 27: p. 5, line 15 through p. 6, line 9; p. 9, line 1 through p. 10, line 22; p. 19, lines 19-21; and Fig. 1

Claim 28: p. 5, line 15 through p. 6, line 9

Claim 29: p. 8, lines 12-13

Claim 30: p. 10, lines 2-8

Claim 31: p. 10, lines 2-8

Claim 32: p. 9, lines 17-21; p. 10, lines 12-22; and p. 19, lines 19-21

Claim 33: P 15, lines 14-15

Claim 34: p. 5, line 21 through p. 6, line 5; p. 9, lines 19-21; and p. 19, lines 19-21

Claim 35: p. 5, lines 21-22

Claim 36: p. 9, lines 1-2

Claim 37: p. 9, lines 5-21

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at 408-278-4042 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

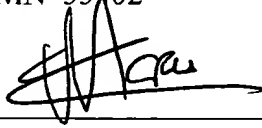Respectfully submitted,

YAN ZHAO

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Date _____09/06/05_____   By _____

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this __6__ day of September, 2005.

_____Dawn R. Shaw_____   _____Dawn R. Shaw_____

Name   Signature